



# PLANNING COMMISSION SUMMARY OF ACTIONS

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March 20, 2003

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PRESENT: Commissioners Alcorn, de la Fe, DuBois, Hall, Harsel, Koch, Moon, Murphy, Smyth

ABSENT: Commissioners Byers, Kelso, Wilson

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The meeting was called to order at 8:20 p.m. by Secretary Suzanne F. Harsel.

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## COMMISSION MATTERS

Chairman Murphy said he would entertain a motion to go into closed session to discuss proposed amendments to Chapter 101 of the Subdivision Ordinance concerning validation procedures of lots not legally created. Commissioner DuBois SO MOVED. Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

The closed session was called to order at 8:23 p.m. by Chairman Peter F. Murphy, Jr. and was adjourned at 8:55 p.m.

Following the closed session, Commissioner Harsel CERTIFIED THAT THE PLANNING COMMISSION ONLY DISCUSSED THE PROPOSED AMENDMENTS TO CHAPTER 101 OF THE SUBDIVISION ORDINANCE CONCERNING VALIDATION PROCEDURES FOR LOTS NOT LEGALLY CREATED DURING ITS CLOSED SESSION, AS PROVIDED BY VIRGINIA LAW. The motion carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting. (Note: there was no second to the motion.)

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Commissioner Alcorn announced that the Environment Committee met with EQAC on Wednesday, March 19, 2003 to discuss the proposed amendments to the Chesapeake Bay Ordinance. He said one more meeting was scheduled for April 2, 2003 at 7:00 p.m. in the Board Conference Room. He noted that the meeting would be open to the public and encouraged everyone to attend. He said the Planning Commission decision on this matter would be scheduled in late April.

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Commissioner Smyth MOVED THAT THE PUBLIC HEARING ON RZ-2002-PR-031, ERNESTO V. AND NILA M. CASTRO, BE DEFERRED TO A DATE CERTAIN OF APRIL 3, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

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FS-Y02-22 – VERIZON WIRELESS, 15717 Lee Highway

FS-Y01-40 – NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC., 15717 Lee Highway

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FS-Y02-22 AND FS-Y01-40 AND FIND THAT THE LOCATION, CHARACTER AND EXTENT OF THE FACILITIES PROPOSED UNDER BOTH APPLICATIONS ARE SUBSTANTIALLY IN ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which passed unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

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ZONING ORDINANCE AMENDMENT (Signs for Places of Worship)

Commissioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING SIGNS FOR PLACES OF WORSHIP, AS ADVERTISED AND SET FORTH IN THE STAFF REPORT DATED FEBRUARY 24, 2003.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

Commissioner Moon FURTHER MOVED THAT THE PROPOSED AMENDMENT BECOME EFFECTIVE AS OF 12:01 A.M. THE DAY FOLLOWING ADOPTION BY THE BOARD OF SUPERVISORS.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

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ZONING ORDINANCE AMENDMENT (CRD/Area Off-Street Parking)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON THIS MATTER UNTIL A DATE CERTAIN OF APRIL 3, 2003.

Commissioner Smyth seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Byers, Kelso, and Wilson absent from the meeting.

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RZ-2002-SU-029 - LANDMARK PROPERTY DEVELOPMENT, LLC

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-SU-029, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MARCH 20, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

Commissioner Koch FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE FOR THE R-3 CLUSTER DISTRICT.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE OPEN SPACE PROVISIONS OF PARAGRAPH 4 OF SECTION 2-309 OF THE ZONING ORDINANCE.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE PFM STANDARD 2-0103-2 TO ALLOW MORE THAN 20 PERCENT OF THE LOTS TO BE ON PIPESTEMS.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Kelso, and Wilson absent from the meeting.

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CAPITAL IMPROVEMENT PROGRAM (FY2004 - FY2008)

Following the public hearing, Commissioner DuBois noted that the CIP Committee would meet on March 26, 2003 at 7:30 p.m., and that markup was scheduled for April 3, 2003. She said the Board of Supervisors would hold public hearings on the CIP and the budget on April 7, 8, and 9, 2003, with markup on April 21, 2003, and adoption of the budget on April 28, 2003.

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SUBDIVISION ORDINANCE AMENDMENT (Illegal Lots)

Commissioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE PROPOSED AMENDMENTS TO CHAPTER 101 OF THE COUNTY CODE AS STATED IN STAFF'S REPORT DATED FEBRUARY 10, 2003, AND AS AUTHORIZED BY THE BOARD OF SUPERVISORS.

Commissioners Hall and DuBois seconded the motion which carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

Commissioner Moon further MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT AFTER APPROVAL OF THE PROPOSED AMENDMENTS TO CHAPTER 101, THE BOARD OF SUPERVISORS IMMEDIATELY DIRECT STAFF TO ISSUE THE NECESSARY PUBLIC NOTICES FOR AUTHORIZED PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS TO AMEND THE DULY APPROVED ORDINANCE BY CHANGING THE DATE OF SEPTEMBER 1, 1947 TO AUGUST 14, 1978, IN SECTIONS 101-1-12 AND 13, AND 101-2-8 AND 9.

Commissioners Hall, Alcorn and DuBois seconded the motion which carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

Commissioner Alcorn MOVED THAT THE PREVIOUS MOTION BE AMENDED TO ALLOW THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS FLEXIBILITY CONCERNING RANGES AND OR OPTIONS COVERING ONE: YEAR OR YEARS OF GRANDFATHERING; TWO: OPTIONS FOR GRANDFATHERING CRITERIA, INCLUDING PERMITS ISSUED, EXISTENCE OF HOUSING UNITS CURRENTLY OR IN THE PAST.

Commissioner Moon accepted the amendment which carried unanimously with Commissioners Byers, Kelso and Wilson absent from the meeting.

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The meeting was adjourned at 1:45 a.m.  
Suzanne F. Harsel, Secretary